IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 23088 of 2003

Between:

1 Pothula Venkata Rajeswara Rao,

S/o. Veera Venkaiah,

R/o. Guraja, Mudinepalli Mandal,

Krishna District.
2 K. Venkata Nancharaiah,

S/o. Muneyya, R/o. Guraja, Mudinepalli Mandal,

Krishna District.

..... PETITIONERS

AND

1 The District Collector, Krishna District at Machilipatnam.
2 Executive Engineer, Irrigation Department,

Krishna District at Vijayawada.
3 Deputy Executive Engineer, Irrigation Department,

Sub Division, Kaikalur, Krishna District.
4 Assistant Engineer, Irrigation Department,

Mudinepalli, Krishna District.
5 Mandal Revenue Officer, Mudinepalli Mandal,

Mudinepalli, Krishna District.
6 Nodal Officer, Mudinepalli Mandal, Mudinepalli, Krishna District.
7 Sub Inspector of Police, Mudinepalli P.S., Mudinepalli,

Krishna District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or direction, more particularly one in the nature of Writ of Mandamus, declaring the inaction of the respondents in not taking any action for regulating the water supply under Pipe No. 0/4+100 LB to an extent of 115 acres in Sy.Nos. 384 to 415 situated at Guraja Village, Mudinepalli Mandal, Krishna District, which is officially notified in the irrigation and Revenue records, as illegal, null, void and arbitrary; and consequently direct the respondents to protect the ayacut of above 115 acres under Pipe No. 0/4+100 LB ;

Counsel for the Petitioner: MR.K.DURGA PRASAD

Counsel for the Respondents : GP FOR IRRIGATION & COMM AREA DEV. FOR R1 TO 3

The Court made the following :

ORDER:

Heard both sides and at their request the main writ petition itself is taken up for

disposal.

The petitioners, who are agriculturists, seeks a writ of mandamus to declare the action of respondents in not taking any action for regulating the water supply under Pipe No. 0/4+100 LB to an extent of 115 acres in Sy.Nos. 384 to 415 situated at Guraja Village, Mudinepalli Mandal, Krishna District.

Though several contentions are sought to be urged on the merits, having regard to the fact that the petitioners representations, which have been filed before the respondents for consideration are still pending, it is not necessary to go into the merits of the case.

Having considered submissions made on either side and also on perusal of the material it is clear that though representations are made, no orders have been passed. In view of the same, the writ petition is disposed of directing the first and second respondents to consider the said representations and pass orders within a period of three weeks. No costs.

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19-07-2004

vs

Note: Furnish CC

in one week.

To

1 The District Collector, Krishna District at Machilipatnam.
2 Executive Engineer, Irrigation Department,

Krishna District at Vijayawada.
3 Deputy Executive Engineer, Irrigation Department,

Sub Division, Kaikalur, Krishna District.
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7 Sub Inspector of Police, Mudinepalli P.S., Mudinepalli,

Krishna District.

8 Two CCs to the GP for Irrigation & Comm Area Dev. for r1 to 3,

High Court Buildings, Hyderabad.(O.U.T).

9 Two CD copies.